

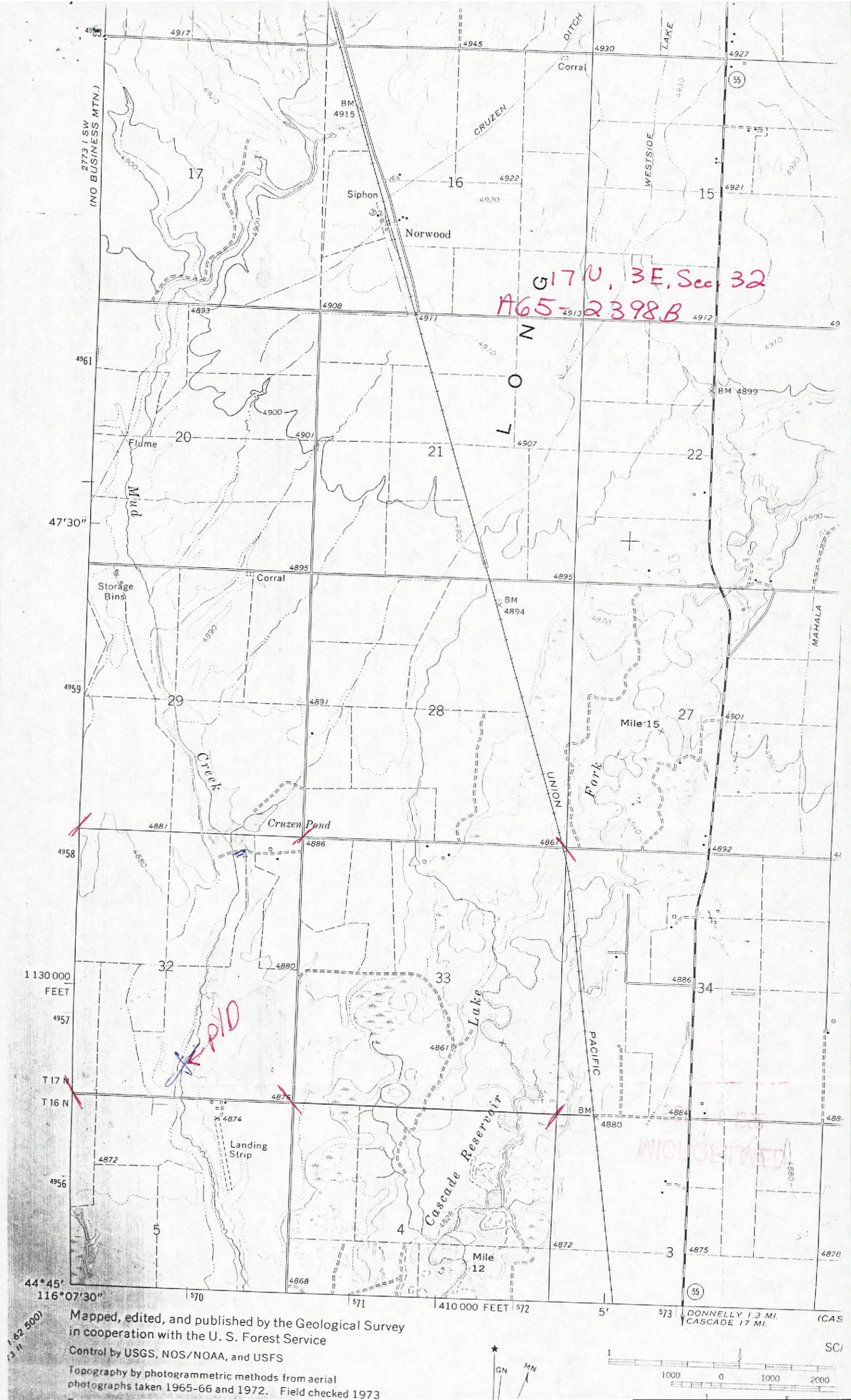
UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY



A65-02398B  
16 N, 3 E, Sec 8

MICROFILMED

SEP 18 1992



G17N, 3E, Sec. 32  
A65-2398B

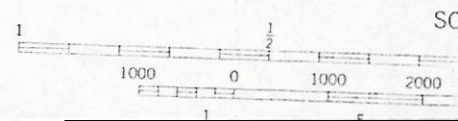
P10

WICHOITAT

Mapped, edited, and published by the Geological Survey  
in cooperation with the U. S. Forest Service

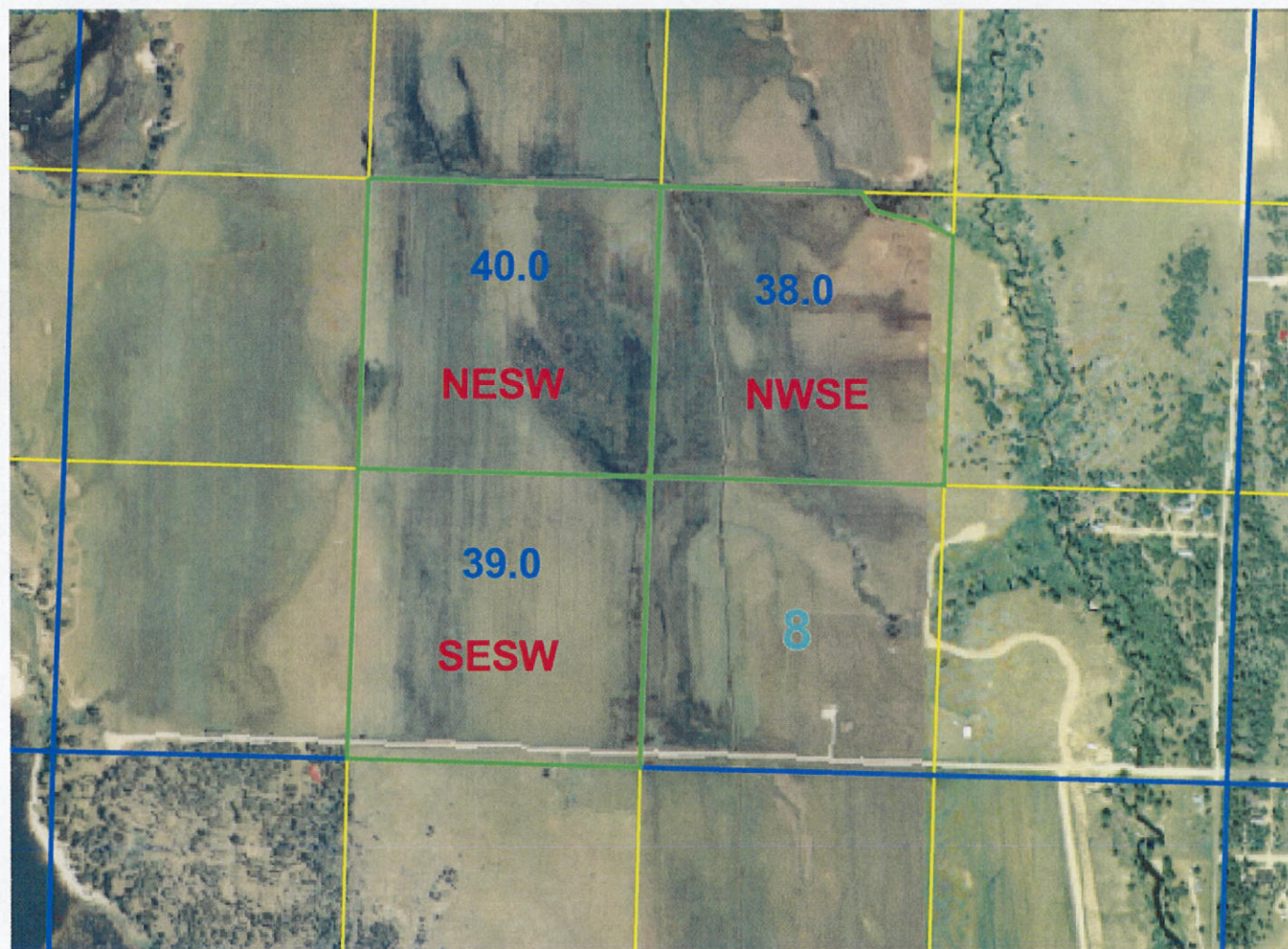
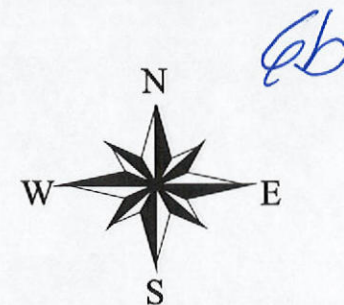
Control by USGS, NOS/NOAA, and USFS

Topography by photogrammetric methods from aerial  
photographs taken 1965-66 and 1972. Field checked 1973



# IDAHO DEPARTMENT OF WATER RESOURCES

## 16N, 03E, S8



1987 NAPP PHOTO

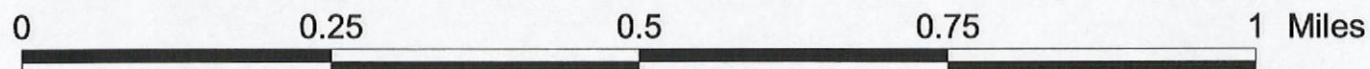
- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-02398B

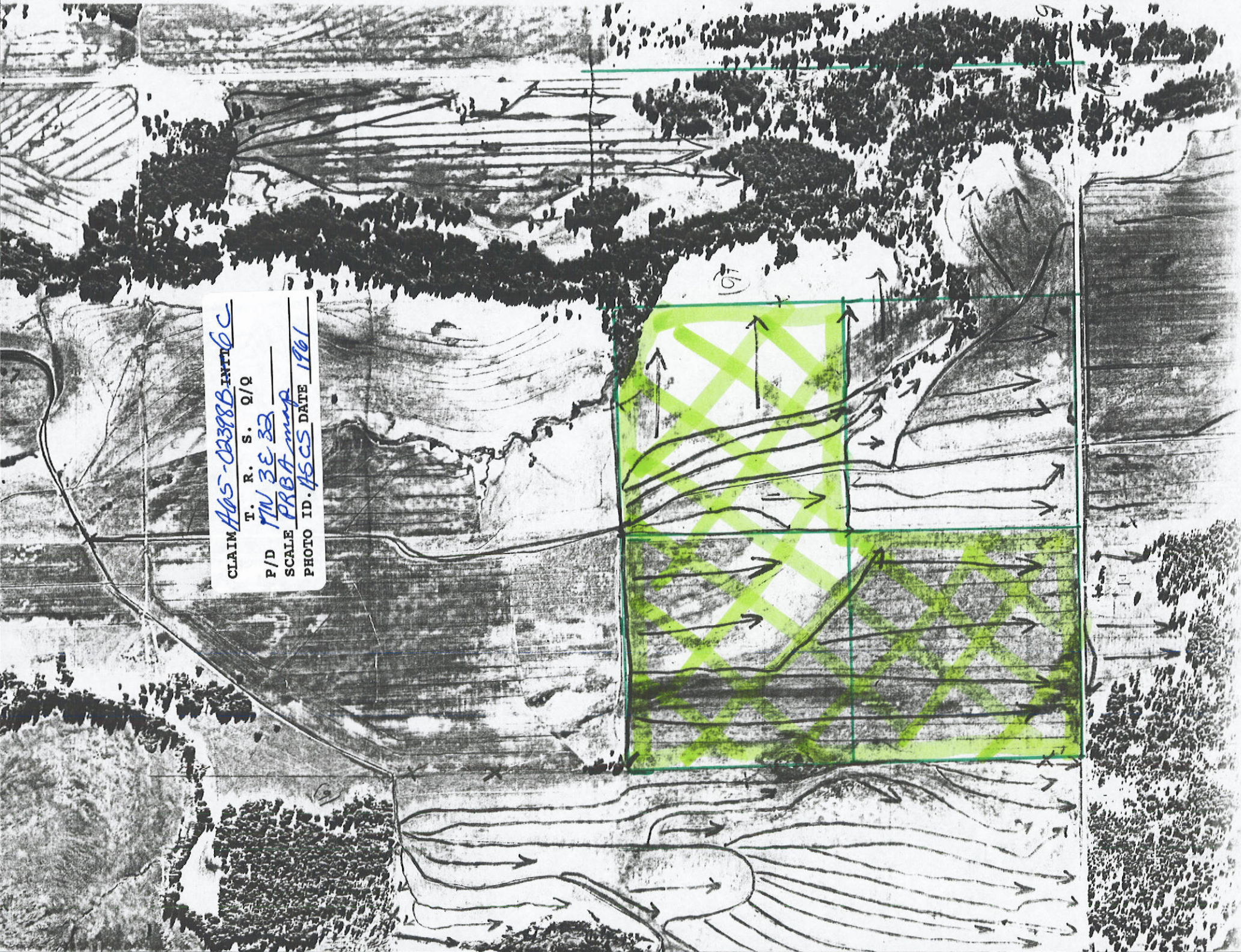
OWNER(S): PONDEROSA PROPERTIES

Prepared by Mel Schulte

DATE: MAY 7, 1999

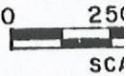


CLAIM A65-02388B INTD 6C  
T. R. S. Q/Q  
P/D TW 3E 32  
SCALE PRBA map  
PHOTO ID. 15CS DATE 1961



A65-02398B

6ed.



VALL  
ENGINEER

RECEIVED

MAY 15 1996

WATER RESOURCES  
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02398B  
Date Received: 11/22/1988  
Receipt No: X999999  
Received By:

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: PONDEROSA PROPERTIES 208-342-6975  
Address: C/O MICHAEL EDDY  
7988 W ARAPO CT  
BOISE ID 83703-6604

2. Date of Priority: AUG 3, 1936

3. Source: MUD CREEK Trib. to: CASCADE RESERVOIR

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 17N      | 03E   | 32      | SW     | SE     |     |     | VALLEY |

5. Description of diverting works:  
DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 2.300 |      |        |

7. Total Quantity Appropriated is:  
2.300 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 16N      | 03E   | 8       | NE     | SW  |     | IRR | 40.0  |
|          |       |         | SE     | SW  |     | IRR | 39.0  |
|          |       |         | NW     | SE  |     | IRR | 38.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 117.0 |
|          |       |         |            |     | Total Acres   | 117.0 |

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
A65-02707

14. Remarks:  
THIS RIGHT WHEN COMBINED WITH RIGHT 65-2707 SHALL PROVIDE NO  
MORE THAN .02 CFS/ACRE.  
ADDRESS CHANGE BY CLAIMANT LETTER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02398B  
Date Received: 11/22/1988  
Receipt No: X999999  
Received By:     CW    

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: PONDEROSA PROPERTIES 208-342-6975  
Address: C/O MICHAEL EDDY  
5025 BITTERBRUSH  
BOISE, ID 83703

2. Date of Priority: AUG 03, 1936

3. Source: MUD CREEK Trib. to: CASCADE RESERVOIR

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 17N      | 03E   | 32      | SW     | SE     |     |     | VALLEY |

5. Description of diverting works:  
DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 2.300  |      |        |

7. Total Quantity Appropriated is:  
2.300 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 16N      | 03E   | 8       | NE     | SW  |     | IRR | 40.0  |
|          |       |         | SE     | SW  |     | IRR | 39.0  |
|          |       |         | NW     | SE  |     | IRR | 38.0  |

Section Acres 117.0

A65-02398B

Page 1

Date: 11/22/88

MICROFILMED

SEP 18 1992

10. Place of Use: Continued

Total Acres 117.0

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
A65-02707

14. Remarks:  
THIS RIGHT WHEN COMBINED WITH RIGHT 65-2707 SHALL PROVIDE NO  
MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED  
Case Number:  
Court :  
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do        do not ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:   4  

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

For Organizations:

I do solemnly swear or affirm that I am General Partner of  
Ponderosa Properties Title  
Organization, that I have signed the foregoing  
document in the space below as General Partner of  
Ponderosa Properties Title  
Organization and that the statements contained in the  
foregoing document are true and correct.  
Signature of Authorized Agent  
General Partner Ponderosa Properties  
Title and Organization  
11/22/88  
Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 22 day  
of November 19 88.

Nancy M. Lindgren  
Notary Public

Seal

Residing at Boise

A65-02398B

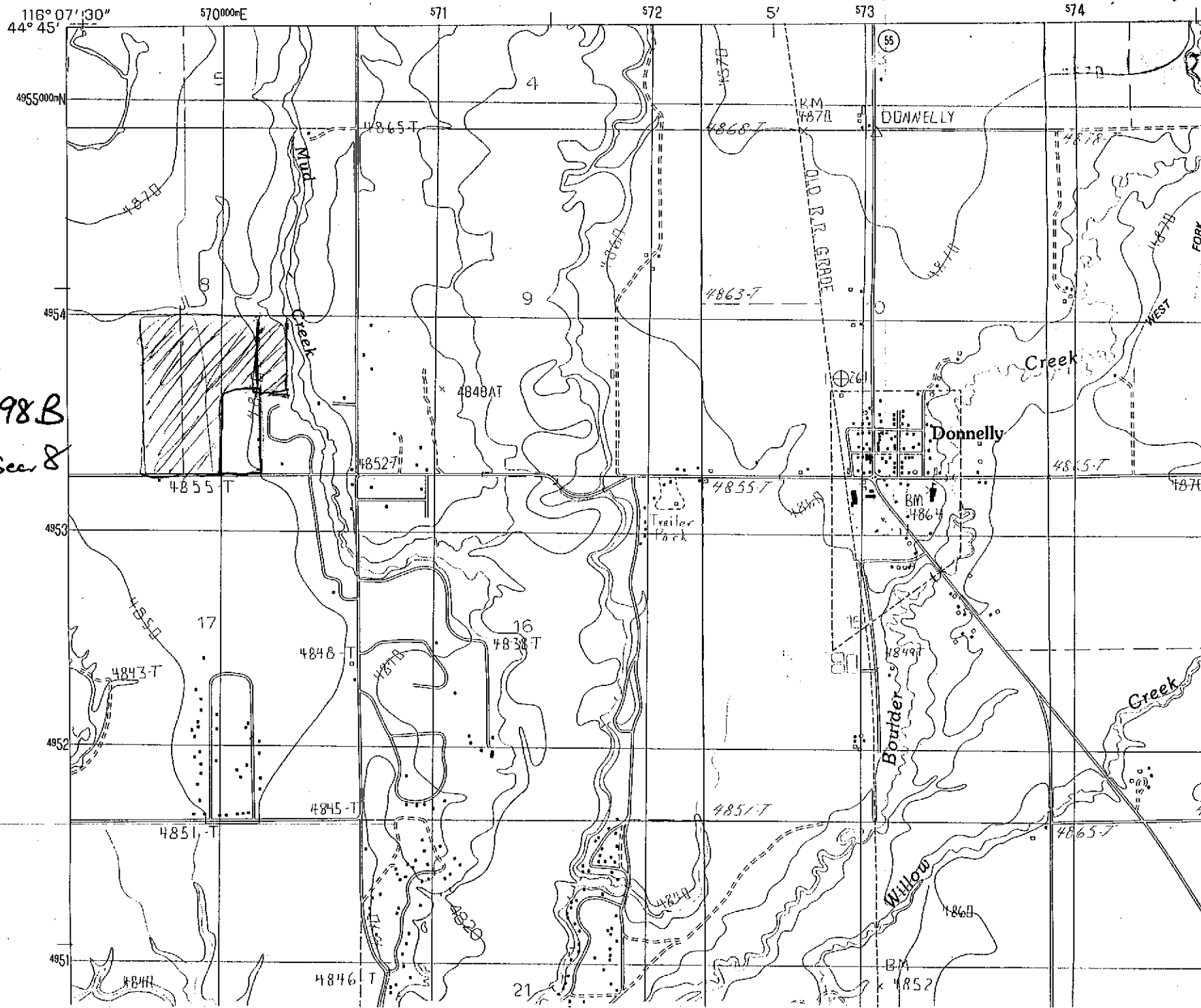
Page

My Commission Expires 1-19-1994  
3 Date: 11/22/88

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SEP 18 1992

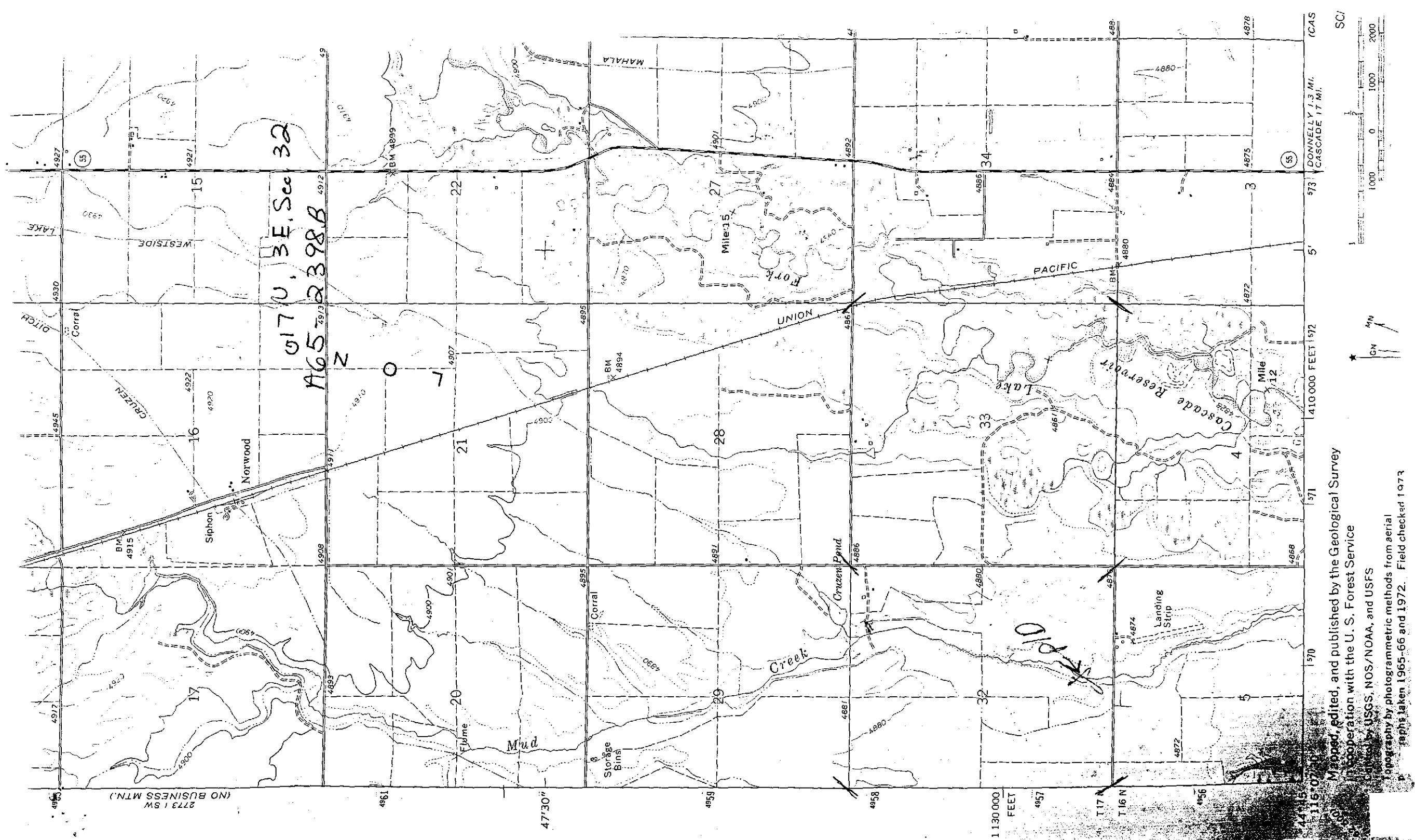
UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY



A65-02398B  
16 N, 3 E, Sec 8

MICROFILMED

SEP 18 1992



Maped, edited, and published by the Geological Survey  
in cooperation with the U. S. Forest Service

Compiled by USGS, NOS/NOAA, and USFS  
topography by photogrammetric methods from aerial  
photos taken 1965-66 and 1972. Field checked 1973

SC/

## 1 REAL ESTATE CONTRACT

2 Between: RANDALL C. FREDRICKS and  
3 ROBERTA L. FREDRICKS,  
4 husband and wife, and  
5 CASCADE RECREATIONAL LANDS  
6 INC., an Idaho corporation,  
7  
8 SELLER,

9 And: KENNETH EGERMAN, RICHARD  
10 WAKEMAN, CARL TATE, JAMES  
11 ADAMS, RICHARD ADAMS, DAVID  
12 NORDLING, MICHAEL E.  
13 DONNELLY, and GROUP IV,  
14 a general partnership  
15 comprised of MICHAEL EDDY,  
16 MICHAEL MANDERSCHIED,  
17 MICHAEL MCCARTHY and JAMES  
18 BALLANTYNE, all doing  
19 business as Ponderosa Pro-  
20 perties, an Idaho general  
21 partnership,  
22  
23 BUYER.

24 THIS AGREEMENT, Made and entered into this 8<sup>th</sup> day of  
25 April, 1982, by and between RANDALL C. FREDRICKS and ROBERTA  
26 L. FREDRICKS, husband and wife, and CASCADE RECREATIONAL LANDS,  
27 INC., an Idaho corporation, hereinafter collectively referred to  
28 as "Seller", and KENNETH EGERMAN, RICHARD WAKEMAN, CARL TATE,  
29 JAMES ADAMS, RICHARD ADAMS, DAVID NORDLING, MICHAEL E. DONNELLY,  
30 and GROUP IV, a general partnership comprised of MICHAEL EDDY,  
31 MICHAEL MANDERSCHIED, MICHAEL MCCARTHY and JAMES BALLANTYNE, all  
32 doing business as Ponderosa Properties, an Idaho general  
partnership, hereinafter referred to as "Buyer";

## WITNESSETH:

That for and in consideration of the terms and conditions  
contained herein, Seller agrees to sell and convey unto Buyer, and  
Buyer agrees to purchase and pay for the following described real  
property situate in the County of , State of Idaho, to wit:

## PARCEL I

The East 1/2 of the Southwest 1/4; and the West 1/2 of  
the West 1/2 of the Southeast 1/4 of Section 8, Township  
16 North, Range 3 East, Boise Meridian, Valley County,  
Idaho;

Schedule A

| CASE NUMBER           | DATE OF POLICY | AMOUNT OF INSURANCE |
|-----------------------|----------------|---------------------|
| Bennett/<br>Ponderosa | July 11, 1985  | \$ 33,600.00.       |

THE POLICY NUMBER SHOWN  
ON THIS SCHEDULE MUST  
AGREE WITH THE PREPRINTED  
NUMBER ON THE COVER SHEET

| POLICY NUMBER |
|---------------|
| 85-00-382167  |

1. Name of Insured:

Ponderosa Properties, an Idaho partnership.

2. The estate or interest in the land described herein and which is covered by this policy is:

Fee simple

3. The estate or interest referred to herein is at Date of Policy vested in:

Ponderosa Properties, an Idaho partnership.

4. The land referred to in this policy is described as follows:

The East ½ of the West ½ of the SE ¼ of Section 8, Township 16 North, Range 3 East,  
Boise, Meridian, Valley County, Idaho.

EXCEPTING THEREFROM, that portion thereof lying within Mountain Meadows Subdivision No. 2  
and 3.

ALSO EXCEPT THEREFROM, that portion thereof, described in Warranty Deed to James R.  
Thrash and Holly E. Thrash, husband and wife recorded 11-9-83, as Instrument No. 132065,  
records of Valley County, Idaho.

# REAL ESTATE MORTGAGE

For Value Received,

PONDEROSA PROPERTIES, an Idaho Partnership

the mortgagor , does hereby grant, bargain, sell and convey unto

ROY E. BENNETT and DORIS JEAN DENNETT, husband and wife

the mortgagees , the following described premises, in Valley County, Idaho, to-wit:

The East 1/2 of the West 1/2 of the Southeast 1/4 of Section 8, Township 16 North, Range 3 East, Boise Meridian, Valley County, Idaho.

EXCEPT Therefrom, that portion thereof lying within Mountain Meadows Subdivision No. 2 and 3.

ALSO EXCEPT Therefrom, that portion thereof, described in Warranty Deed to James R. Thrash and Holly E. Thrash, husband and wife, recorded 11-9-83, as Instrument No. 132065, records of Valley County, Idaho.

## NOTE:

The parties agree that in the event property is subdivided and lots are sold, Seller's (Mortgagee's) shall release title on said lots based on \$1,000 principle reduction by Buyer (Mortgagor) for each acre released.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said mortgagees , and their heirs and assigns forever.

This conveyance is intended as a mortgage to secure the payment of the sum of (\$29,000.00)

TWENTY NINE THOUSAND and no/100's

DOLLARS

with interest, in accordance with the terms of a promissory note of even date herewith, payable to the order of the mortgagee, with final payment due July 8, 1995 and providing for acceleration of the due date of the principal for default in the payment of interest or any installment of principal, and providing for a reasonable attorney's fee in case of suit or action.

The mortgagor covenants and agrees with the mortgagees as follows: That they are the owners in fee simple of the above described premises and that they are free from all encumbrances

That they will pay the indebtedness hereby secured promptly, according to the terms of said promissory note. That they will pay all taxes, liens and assessments of any nature hereafter levied or imposed, or becoming payable, upon said premises not later than the twentieth day before delinquency. That he will keep the buildings on said premises insured against loss or damage by fire, by some insurance company acceptable to the mortgagee with loss, if any, payable to the mortgagee as interest may appear, in the sum of at least \$ , and deliver such policy or policies of insurance to the mortgagee , until the sums secured by this mortgage are fully paid with interest. The mortgagee may from time to time and whenever it so desires, cause an abstract of title to be continued to the then date or procure a title report from a reputable title company and the mortgagor agree to pay the cost thereof upon demand.

If the mortgagor shall fail to pay any such tax or lien, abstract or title report charge, or fail to maintain such fire insurance, the mortgagee S may pay the same or procure said insurance, abstract continuation or title report and pay the cost thereof, and all payments by the mortgagee S for any such purpose shall be added to the indebtedness hereby secured, and shall be repayable on demand, with interest at the rate of eight (8) per cent per annum until paid.

For the purpose of further securing said indebtedness and performance of the covenants herein contained, the mortgagor hereby sell and assign to the mortgagee any and all rentals accruing, or to accrue on said premises, during the life of this mortgage.

Now, if the said mortgagor shall pay or cause to be paid all moneys which may become due upon said promissory note and shall otherwise comply with the terms and conditions hereof, this conveyance shall be void; but in case default shall be made in the payment of the indebtedness hereby secured, or any part thereof, principal or interest, or in any of the covenants or agreements herein contained, then the mortgagee or assignee, at his option, may declare the entire indebtedness hereby secured immediately due and payable, and foreclose this mortgage and cause said mortgaged premises to be sold in the manner provided by law, and out of the moneys arising from such sale retain principal and interest together with any sums advanced as provided herein, with interest as aforesaid, together with the costs and charges of such foreclosure suit and sale, including such sum as the court may adjudge reasonable as an attorney's fee to be allowed the plaintiff, and the overplus, if any there be, pay over to the mortgagor heirs and assigns.

Dated: July 8, 1985

Ponderosa Properties, an Idaho Partnership

by Michael J. Eddy  
Michael J. Eddy

STATE OF IDAHO, COUNTY OF Ada

On this 8th day of July, 1985, before me, a Notary Public in and for said State, personally appeared Michael J. Eddy, for Ponderosa Properties, an Idaho Partnership

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he has executed the same.

Residing at

Comm. Expires 6-26-87

James E. Thompson  
Notary Public,

Boise Idaho.

STATE OF IDAHO, }  
County of Valley, } ss.  
I hereby certify that this instrument was filed in the office of the County Clerk of said County of Idaho, on this 8th day of July, 1985, at 10 o'clock A.M. 11  
in my office and was recorded in Dr. # 2 of Book  
By Michael J. Eddy Deputy  
Fee \$ 3.00 Michael J. Eddy Deputy  
Official Recorder

LAWYERS TITLE CO. OF IDAHO

COMPARED

INDEXED - DIRECT

## 1 REAL ESTATE CONTRACT

2 Between: RANDALL C. FREDRICKS and  
3 ROBERTA L. FREDRICKS,  
4 husband and wife, and  
5 CASCADE RECREATIONAL LANDS  
6 INC., an Idaho corporation,

7 SELLER,

8 And: KENNETH EGERMAN, RICHARD  
9 WAKEMAN, CARL TATE, JAMES  
10 ADAMS, RICHARD ADAMS, DAVID  
11 NORDLING, MICHAEL E.  
12 DONNELLY, and GROUP IV,  
13 a general partnership  
14 comprised of MICHAEL EDDY,  
15 MICHAEL MANDERSCHIED,  
16 MICHAEL MCCARTHY and JAMES  
17 BALLANTYNE, all doing  
18 business as Ponderosa Pro-  
19 perties, an Idaho general  
20 partnership,

21 BUYER.

22 THIS AGREEMENT, Made and entered into this 5th day of  
23 April, 1982, by and between RANDALL C. FREDRICKS and ROBERTA  
24 L. FREDRICKS, husband and wife, and CASCADE RECREATIONAL LANDS,  
25 INC., an Idaho corporation, hereinafter collectively referred to  
26 as "Seller", and KENNETH EGERMAN, RICHARD WAKEMAN, CARL TATE,  
27 JAMES ADAMS, RICHARD ADAMS, DAVID NORDLING, MICHAEL E. DONNELLY,  
28 and GROUP IV, a general partnership comprised of MICHAEL EDDY,  
29 MICHAEL MANDERSCHIED, MICHAEL MCCARTHY and JAMES BALLANTYNE, all  
30 doing business as Ponderosa Properties, an Idaho general  
partnership, hereinafter referred to as "Buyer";

WITNESSETH:

That for and in consideration of the terms and conditions  
contained herein, Seller agrees to sell and convey unto Buyer, and  
Buyer agrees to purchase and pay for the following described real  
property situate in the County of , State of Idaho, to wit:

PARCEL I

The East 1/2 of the Southwest 1/4; and the West 1/2 of  
the West 1/2 of the Southeast 1/4 of Section 8, Township  
18 North, Range 3 East, Boise Meridian, Valley County,

1 EXCEPT THEREFROM: That portion of the above described  
2 real property which lies within Mountain Meadows  
Subdivision No. 3.

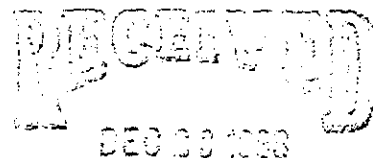
3 PARCEL II

4 Lots 7 to 17 inclusive, Mountain Meadows Subdivision No.  
5 3, according to the official plat thereof on file and  
6 recorded in the office of the County Recorder, Valley  
7 County, Idaho, and that portion of Lot 6 Mountain  
8 Meadows Subdivision No. 3, which lies within the West  
1/2 of the West 1/2 of the Southeast 1/4 of Section 8,  
Township 16 North, Range 3 East, Boise Meridian, Valley  
County, Idaho.

9 Together with all and singular the tenements, here-  
10 ditaments and appurtenances thereunto belonging or in  
anywise appertaining;

11 Subject to all easements, rights of way, restrictions  
and reservations of record or appearing on the land.

the Thompson  
ce sec'ty.  
Verona Properties



Department of Water Resources  
Western Regional Office

MICROFILMED  
SEP 18 1992



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

May 4, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at [www.idwr.state.id.us/info/water/srba/forms.htm](http://www.idwr.state.id.us/info/water/srba/forms.htm) or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.  
Adjudication Bureau Chief

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 08/04/99  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS                                                                                      | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|-----------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | PONDEROSA PROPERTIES<br>C/O MICHAEL EDDY<br>7988 W ARAPO CT<br>BOISE ID 837036604<br>(208) 342-6975 | 08/03/1936       | IRRIGATION | 04-15 10-15           | 2.300 CFS         |                     |
|               |                                                                                                     |                  |            | TOTAL DIVERSION:      | 2.300 CFS         |                     |

**Water Source: MUD CREEK**

**Tributary to: CASCADE RESERVOIR**

**Stage: DECEED**

**Point(s) of Diversion:**

T17N R03E S32

SWSE

**VALLEY County**

Place of use Legal Description for: IRRIGATION

|     |     |    |   |       |       |       |       | NE |       |       |       | NW    |   |       |       | SW    |       |   |       | SE    |       |       |   |             |  |   |       |
|-----|-----|----|---|-------|-------|-------|-------|----|-------|-------|-------|-------|---|-------|-------|-------|-------|---|-------|-------|-------|-------|---|-------------|--|---|-------|
| T   | R   | S  | : | NENE  | NWNE  | SWNE  | SENE  | :  | NENW  | NWNW  | SWNW  | SENW  | : | NESW  | NWSW  | SWSW  | SESW  | : | NESE  | NWSE  | SWSE  | SESE  | : | SUM         |  |   |       |
| --- | --- | -- | : | Lt Ac | Lt Ac | Lt Ac | Lt Ac | :  | Lt Ac | Lt Ac | Lt Ac | Lt Ac | : | Lt Ac | Lt Ac | Lt Ac | Lt Ac | : | Lt Ac | Lt Ac | Lt Ac | Lt Ac | : | ---         |  |   |       |
| 16N | 03E | B  | : |       |       |       |       | :  |       |       |       |       | : | 40    |       |       | 39    | : |       |       | 38    |       | : | 117.0       |  |   |       |
|     |     |    |   |       |       |       |       |    |       |       |       |       |   |       |       |       |       |   |       |       |       |       | : | TOTAL ACRES |  | : | 117.0 |

POU County: VALLEY

**Other Rights: 65-02707**

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-02707 IS LIMITED TO A  
DIVERSION RATE OF .02 CFS PER ACRE AT THE FIELD HEADGATE.

EXP RIGHT NO. 65-02398X IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.

**Dates:**      **Exam Made Date:**      **Verified Date:**      **Objection Filed Date:**

Misc: Water District Number: 65 Field Inspection Flag:  
Presumption Flag:

Comments: Date: 05/10/1999 User-ID: MSCHULTE Subject: COPIED FROM REMARKS  
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 08/04/99 MSCHULTE

14:14:39  
05/06/99  
17

**CLAIM NUMBER: A65-02398B**

Other Rights: A65-02707

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-2707 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.  
ADDRESS CHANGE BY CLAIMANT LETTER.

|               |                                  |                               |                              |
|---------------|----------------------------------|-------------------------------|------------------------------|
| <b>Dates:</b> | <b>Exam Made Date:</b>           | <b>Verified Date:</b>         | <b>Objection Filed Date:</b> |
| <b>Misc:</b>  | <b>Water District Number: 65</b> | <b>Field Inspection Flag:</b> |                              |
|               |                                  | <b>Presumption Flag:</b>      |                              |

WR5809NP  
No. 65-02398B

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 05/06/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | BARTON H. BALLANTYNE<br>C/O MC KEE & HARWOOD<br>1076 N. COLE RD.<br>BOISE ID 83704 | 08/03/1936       | IRRIGATION | 04/15 10/15           | 2.300 CFS         |                     |
| TOTAL DIVERSION: |                                                                                    |                  |            |                       | 2.300 CFS         |                     |

Water Source: MUD CREEK      Tributary to:      Stage: DECREED  
Point(s) of Diversion: T17N R03E S32      SWSE      VALLEY County

Place of use Legal Description for: IRRIGATION

|             |     |   |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |     |       |
|-------------|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|-------|
| T           | R   | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | :  | SUM |       |
| 16N         | 03E | 8 | : |    |    |    |    |    |    |    |    |    |    | 40 |    | 39 |    | 38 | :   | 117.0 |
| TOTAL ACRES |     |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | :   | 117.0 |

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
65-02398X

Other Water Rights Listing Overlapping Place(s) of use:  
65-02707

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-2707 SHALL PROVIDE NO  
MORE THAN .02 CFS/ACRE.

Dates: App. Received:      Priority Date: 08/03/1936  
Proof Due Date:      Proof Made Date:  
Exam Made Date:      Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: 65      Field Exam Fee:

Audit: 04/02/86      04/30/88 CONVERT

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

| TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)                     | IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION | COPY INCLUDED IN FILE?                                  |
|---------------------------------------------------------------|--------------------------------------------------------|---------------------------------------------------------|
| ( ) ORTHOPHOTOQUAD                                            | DATE OF PHOTO _____ IDWR ID NO. _____                  | Y( ) N( )                                               |
| ( ) TOPOGRAPHIC                                               | DATE FIELD CHECKED _____ IDWR ID NO. _____             | Y( ) N( )                                               |
| <input checked="" type="checkbox"/> <del>MAP</del> <u>GIS</u> | DATE OF PHOTO <u>12-11-99</u> IDWR ID NO. _____        | Y( <input checked="" type="checkbox"/> ) N( ) <u>6b</u> |
| <input checked="" type="checkbox"/> ASCS AERIAL PHOTO         | DATE OF PHOTO <u>1961</u>                              | Y( ) N( ) <u>6c</u>                                     |
| ( ) ASCS COLOR SLIDE                                          | DATE OF PHOTO _____                                    | Y( ) N( )                                               |
| ( ) BLM OR USFS AERIAL PHOTO                                  | DATE OF PHOTO _____                                    | Y( ) N( )                                               |
| ( ) TOWNSHIP SURVEY (GOVERNMENT PLAT)                         | DATE OF SURVEY _____                                   | Y( ) N( )                                               |
| ( ) SCS SOIL SURVEY MAP                                       | DATE ISSUED _____                                      | Y( ) N( )                                               |
| <input checked="" type="checkbox"/> SUBDIVISION PLAT MAP      | DATE OF MAP <u>Mountain Meadows Sub #3</u>             | Y( <input checked="" type="checkbox"/> ) N( ) <u>6d</u> |
| <input checked="" type="checkbox"/> OTHER <u>GIS Table</u>    | DATE <u>5-7-99</u>                                     | Y( <input checked="" type="checkbox"/> ) N( ) <u>6a</u> |
| ( ) OTHER _____                                               | DATE _____                                             | Y( ) N( )                                               |
| ( ) OTHER _____                                               | DATE _____                                             | Y( ) N( )                                               |

| LIST OF ATTACHMENTS (CHECK IF ATTACHED)                           | IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | NO. OF PAGES | NOTES |
|-------------------------------------------------------------------|---------------------------------------------|--------------|-------|
| ( ) LICENSING FIELD EXAM                                          | DATE OF FIELD EXAM _____                    | _____        | _____ |
| ( ) WATER RIGHT LICENSE                                           | DATE LICENSE SIGNED _____                   | _____        | _____ |
| ( ) IDWR APPROVED TRANSFER                                        | DATE TRANSFER APPROVED _____                | _____        | _____ |
| ( ) SYSTEM DESCRIPTION                                            | DATE DRAWN _____                            | _____        | _____ |
| ( ) PHOTOGRAPHS                                                   | DATE(S) PHOTOS TAKEN _____                  | _____        | _____ |
| ( ) SPLIT RIGHT REVIEW                                            | DATE REVIEW COMPLETED _____                 | _____        | _____ |
| ( ) HUBBLE ANALYSIS                                               | DATE ANALYSIS COMPLETED _____               | _____        | _____ |
| ( ) CONVEYANCE LOSS ANALYSIS                                      | DATE ANALYSIS COMPLETED _____               | _____        | _____ |
| ( ) FLOW MEASUREMENT CALCULATIONS                                 | DATE SYSTEM MEASURED _____                  | _____        | _____ |
| <input checked="" type="checkbox"/> OTHER <u>POU review sheet</u> | DATE <u>5-6-99</u>                          | <u>1</u>     | _____ |
| ( ) OTHER _____                                                   | DATE _____                                  | _____        | _____ |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

14:14:23  
05/06/99

PAGE: 16  
QUICKLOOK INFORMATION

16  
CLAIM NUMBER: A65-023988

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                            |                                                 | MS<br>In office<br>5-10-99 | N                      |                                    | MS<br>5-10-99                    | MS<br>5-10-99                        |                               |
| POINT OF DIV              |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| SOURCE                    | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PLACE OF USE              | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                          |                                                 |                            | NA                     |                                    |                                  |                                      |                               |
| PURPOSES OF USE           |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PERIOD OF USE             |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| BASIS OF CLAIM            | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| REMARKS                   | Y                          |                                                 |                            | Y                      |                                    |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

14:14:23  
05/06/99

PAGE: 1  
GENERAL INFORMATION

1  
CLAIM NUMBER: A65-023988

LAST: PONDEROSA PROPERTIES  
ADDRESS: C/O MICHAEL EDDY  
7988 W ARAPO CT  
CITY: BOISE  
PHONE NUMBER: 208-342-6975

FIRST:  
STATE: ID ZIP: 837036604

OWNER CODE: C

LAST: BALLANTYNE  
ADDRESS: C/O MC KEE & HARWOOD  
1076 N COLE RD  
CITY: BOISE  
PHONE NUMBER: 208-000-0000

FIRST: BARTON H  
STATE: ID ZIP: 83704

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE  
Y

FIELD  
EXAMINER  
Y( ) N( )

CLAIM REMARKS: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-2707 SHALL PROVIDE NO  
MORE THAN .02 CFS/ACRE.  
ADDRESS CHANGE BY CLAIMANT LETTER.

CONTACT PERSON: \_\_\_\_\_

PHONE NUMBER: (\_\_\_\_) \_\_\_\_-\_\_\_\_

DATE OF FIELD EXAM: \_\_\_\_/\_\_\_\_/\_\_\_\_

APPOINTMENT MADE: Y(\_\_\_\_) N(\_\_\_\_)

TIME: \_\_\_\_:\_\_\_\_ A(\_\_\_\_) P(\_\_\_\_)

ACCOMPANIED BY: \_\_\_\_\_

PHONE NUMBER: (\_\_\_\_) \_\_\_\_-\_\_\_\_

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / NOTES:

*In Office exam*

A. AJ CLAIM: # A65-02398B PRIORITY DATE: 08-03-1936 STAGE: D

B. WR RECORD: # 65-02398B PRIORITY DATE: 08-03-1936 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N( )

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y( ) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?  
(IF YES, DESCRIBE BELOW) Y( ) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y( ) N( )

FIELD EXAM COMPLETED N/A(☒) Y( ) N( )

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y( ) N( )

LICENSE ISSUED N/A(☒) Y( ) N( )

\* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,  
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE  
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y( ) N( )

\* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,  
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N( )

NOTES:

*Recommended as succeed in the PRBA*

=====

RECOMMENDED PRIORITY DATE:

08-03-1936  
REVIEWED BY *Mc Schulte*

DATE *5-10-99*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT      | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|------------|-----------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| A65-02398B | 17N 03E   | 32   |     | SW  | SE  |     |             | VALLEY |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A65-02398X NONE

WR RECORDS IN SAME 40 ACRE TRACT  
65-02398X

SOURCE: MUD CREEK

TRIB: CASCADE RESERVOIR

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|-----------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| 65-02398B | 17N 03E   | 32   |     | SW  | SE  |     |             | VALLEY |                |                  |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX

65-02398X

A65-02398X NONE

SOURCE: MUD CREEK

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y(☒) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY  
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A( ) Y(☒) N( )

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y( ) N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y(☒) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY  
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N( )

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y( ) N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM \_\_\_\_\_) Y( ) N(☒)

AJ FIELD EXAM (DATE OF FIELD EXAM \_\_\_\_\_ NAME OF EXAMINER \_\_\_\_\_) Y( ) N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Recommended as decreed in the PRBA.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY<br>VALLEY | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|-----|-----|-----|-------------|------------------|----------------|---------------|
| 17N  | 03E  | 32   |     | SW  | SE  |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |

SOURCE: Mud Creek TRIB: Pay. Riv. N. F.

REVIEWED BY: McSchulte DATE: 5-10-99

SYSTEM DESCRIPTION: DESCRIBED BELOW ( ), SEE LICENSE FILE ( ), OR SEE ATTACHMENT ( )

A. ROOT WATER RIGHT NUMBERS: A65-02398A  
A65-02398X  
A65-02398B  
R65-02398A

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                 | AJ<br>#/ACRES     | WR<br>#/ACRES    | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|----------------------|-------------------|------------------|-----------------|----------------|------------------|
| 16N | 03E | 8   | NE  | SW  |     | PONDEROSA PROPERTIES | A65-02398B / 40.0 | 65-02398B / 40.0 | 25.0            |                |                  |
|     |     |     | NE  | SW  |     | PONDEROSA PROPERTIES | A65-02707 / 40.0  | 65-02707 / 40.0  |                 |                | 40               |
| 16N | 03E | 8   | SE  | SW  |     | PONDEROSA PROPERTIES | A65-02398B / 39.0 | 65-02398B / 39.0 | 39.0            |                | 39.0             |
|     |     |     | SE  | SW  |     | PONDEROSA PROPERTIES | A65-02707 / 39.0  | 65-02707 / 39.0  |                 |                |                  |
| 16N | 03E | 8   | NW  | SE  |     | PONDEROSA PROPERTIES | A65-02398B / 38.0 | 65-02398B / 38.0 | 28.0            |                |                  |
|     |     |     | NW  | SE  |     | PONDEROSA PROPERTIES | A65-02707 / 19.0  | 65-02707 / 19.0  |                 |                | 38               |

ADDITIONAL POU FOUND

|                    |            |        |        |       |      |
|--------------------|------------|--------|--------|-------|------|
| TOTAL ACRES        | A65-02398B | 117.00 | 117.00 | 92.00 | 117. |
| POU COUNTY: VALLEY |            |        |        |       |      |

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y( ) N(☒)

\* IF YES, ARE THESE TRACTS LISTED ABOVE ( ), OR ARE THEY LISTED ON AN ATTACHED SHEET ( )

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

| CLAIM NO.  | SOURCE          | NAME                 | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|-----------------|----------------------|-----------|----------------|-----------|----------------|
| A65-02398B | MUD CREEK       | PONDEROSA PROPERTIES | 2.300     | 0.019          |           |                |
| A65-02707  | LAKE FORK CREEK | PONDEROSA PROPERTIES | 2.000     | 0.015          |           |                |

## 62

OWNER (S): Ponderosa Properties

CLAIM NUMBERS: A65-02398B

DATE 5-7-49.

117

POLYGON # ( ) ( ) ( ) ( ) UPDATED BY MTS

ATTRIBUTES OF B65-POD.SHP (673)( ) ( ) ( ) ( )

599 B65-DBPOD.DBF UPDATED BY MTS

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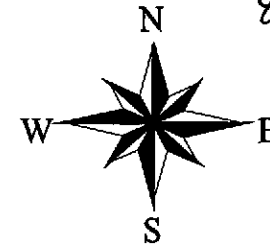
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# IDAHO DEPARTMENT OF WATER RESOURCES

## 16N, 03E, S8



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

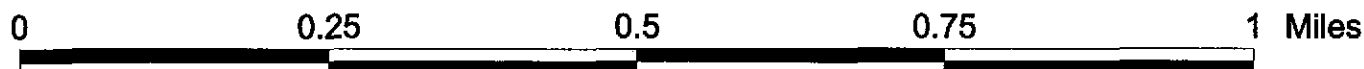


CLAIM(S): 65-02398B

OWNER(S): PONDEROSA PROPERTIES

Prepared by Mel Schulte

DATE: MAY 7, 1999



CLAIM 465-02398B-4476C

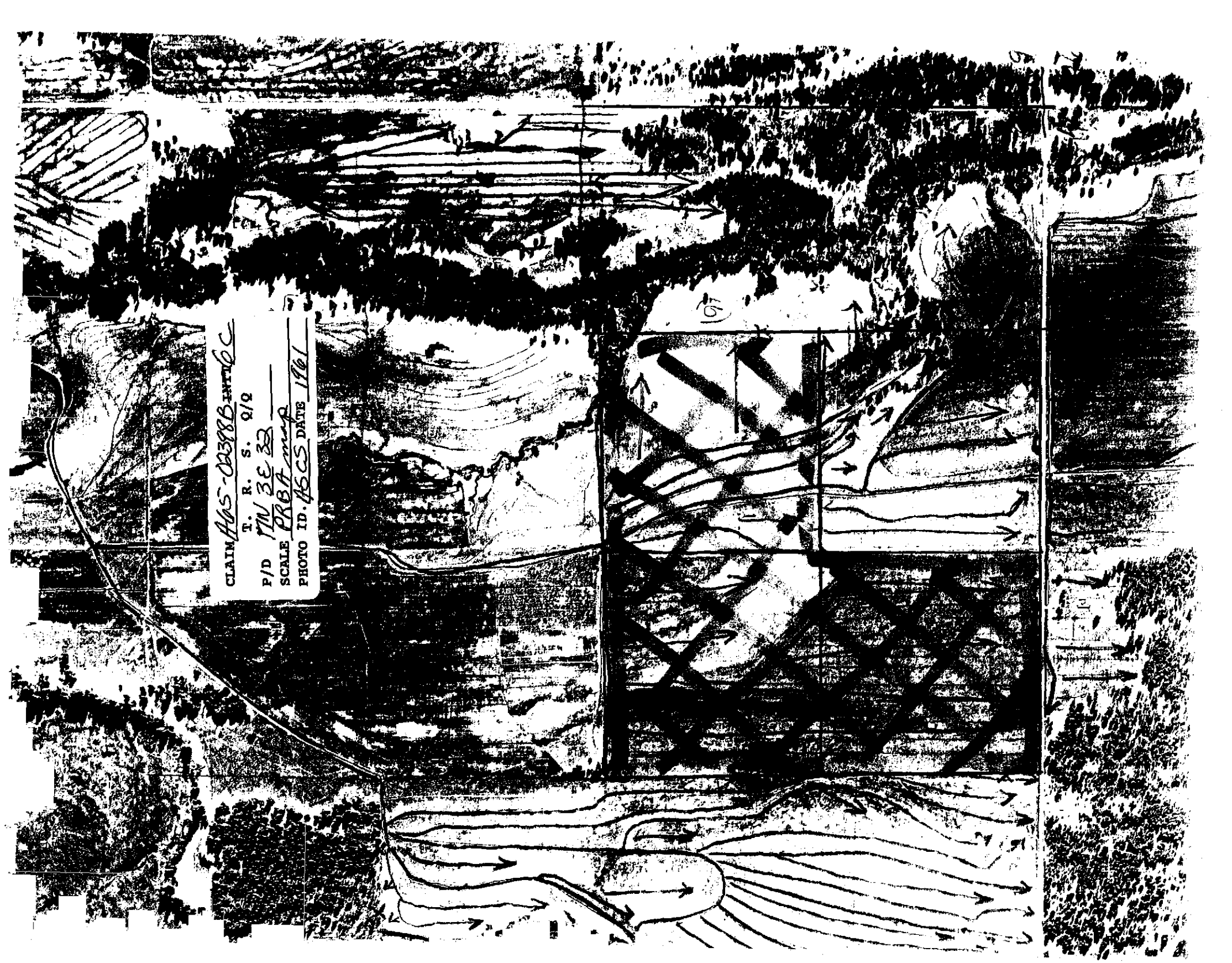
T. R. S. Q/Q

P/D NW 3E 32

SCALE PHOTO map

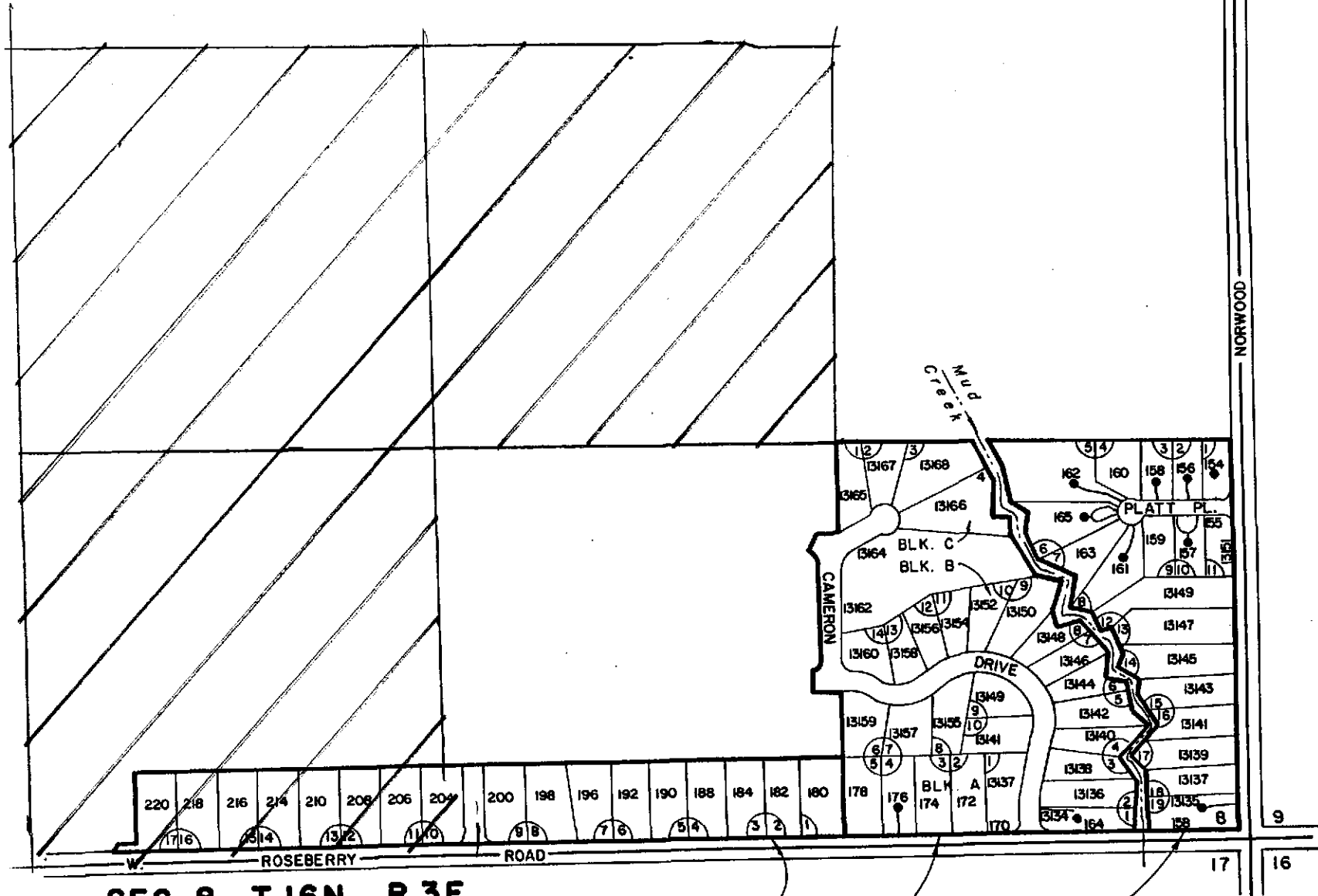
PHOTO ID. 465C5 DATE 1/61

107



A65-02398B

6ed.



SEC. 8, T.16N., R.3E.

MOUNTAIN MEADOWS SUBD. NO. 3

MOUNTAIN MEADOWS SUBD. NO. 2

MOUNTAIN MEADOWS SUBD. NO. 1

0 25  
SCA



VALL  
ENGINEER

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N(☐)

\* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-02707

- *Lake Fork Creek*

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☐) Y(☒) N(☐)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: ( ) ORTHOPHOTOQUAD, IDWR NO. \_\_\_\_\_; ( ) TOPOGRAPHIC QUAD, IDWR NO. \_\_\_\_\_;

<sup>GTS map</sup>  
(x) NAPP, IDWR NO. \_\_\_\_\_; (x) ASCS PHOTO; ( ) OTHER \_\_\_\_\_

NOTES: Recommended as decreed in the PRBA.

The south edge of the SESW, S8 has been subdivided into part of Mountain Meadow Sub #3 but it is assumed this right is still believed to the lots.

RECOMMENDATIONS:

TOTAL ACRES: 117 N/A ( )

REVIEWED BY: Mel Schulte DATE: 5-10-99

A. AJ CLAIMED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A65-02398B IRRIGATION       | FROM 04-15 TO 10-15       | 2.300 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 2.300 CFS              |                        |

B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 65-02398B IRRIGATION        | FROM 04-15 TO 10-15       | 2.300 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 2.300 CFS              |                        |

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

\* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

\* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☒) N(☐)

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

NOTES:

*Recommended as decreed in the PRBA*

AJ CLAIM TOTAL DIVERSION RATE: 2.300 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.300 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y(☒) N( )

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A( ) Y(☒) N( )

\* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y( ) N(☒)

\* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y( ) N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES 119 x 0.02 CFS/ACRE = 2.34 CFS  
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y( ) N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( )

2. IRRIGATION DIVERSION VOLUME

NA

CLAIMED DIVERSION VOLUME = AF/A

ACRES \_\_\_\_\_ x DIVERSION VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL DIVERSION VOLUME \_\_\_\_\_ AF/A

3. IRRIGATION CONSUMPTIVE USE

NA

CLAIMED CONSUMPTIVE USE = AF/A

ACRES \_\_\_\_\_ x CONSUMPTIVE VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL CONSUMPTIVE USE \_\_\_\_\_ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW ( ) OR SEE ATTACHMENT ( )

**NOTES:**

NOTES: Recommended as decreed in the PRBA.

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| REC.<br>PURPOSE OF USE | REC. PERIOD |       | REC. DIV          |          | REC. DIV  |          | REC. CONS.      |          |
|------------------------|-------------|-------|-------------------|----------|-----------|----------|-----------------|----------|
|                        | FROM        | TO    | RATE CFS          |          | VOL. AF/A |          | USE             |          |
| IRRIGATION             | 04-15       | 10-15 | DATABASE<br>2.300 | EXAMINER | DATABASE  | EXAMINER | DATABASE<br>0.0 | EXAMINER |
|                        |             |       |                   |          |           |          |                 |          |
|                        |             |       |                   |          |           |          |                 |          |
|                        |             |       |                   |          |           |          |                 |          |
|                        |             |       |                   |          |           |          |                 |          |
| TOTAL FOR THIS RIGHT   |             |       | 2.300             |          |           |          | 0.0             |          |

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

REVIEWED BY: Mel Schulte DATE: 5-10-99

FLAG: \_\_\_\_\_  
STANDARD CONDITIONS (CODE): \_\_\_\_\_

STANDARD REMARKS (CODE):  
EXP- FOS @ - 65-02398X  
QNT- E01 @ 65-02707

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____              | ( <u>✓</u> )           | ( )             |
| FORFEIT/ABANDON _____        | ( )                    | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( )                    | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02398

TOTAL DIVERSION RATE OF WR SPLITS      DATABASE 6.020      EXAMINER \_\_\_\_\_      CFS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| 65-02398A            | A65-02398A               | 1.700             | R65-02398A                | 1.700            | 65-02398A           | 1.700             |
| -                    | A65-02398B               | 2.300             | -                         |                  | 65-02398B           | 2.300             |
| -                    | A65-02398X               | 2.020             | -                         |                  | 65-02398X           | 2.020             |
| TOTAL CFS            |                          | 6.020             |                           | 1.700            |                     | 6.020             |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)  
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW ( ) OR SEE ATTACHMENT ( )?

DATABASE N      FIELD EXAMINER Y( ) N( )

NOTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AUTHENTICATION:

SIGNATURE: Michael Schutte      DATE: 5-10-99

NAME OF FIELD EXAMINER: \_\_\_\_\_      TITLE: \_\_\_\_\_

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-02398B

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A65-02398A  
A65-02398X

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A65-02398B

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R65-02398A

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## B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                 | AJ<br>#/USE/ACRES   | WR<br>#/USE/ACRES  | LANDSAT<br>DATA |
|-------------|-----|-----|-----|-----|-----|----------------------|---------------------|--------------------|-----------------|
| 16N         | 03E | 8   | NE  | SW  |     | PONDEROSA PROPERTIES | A65-02398B /01/40.0 | 65-02398B /01/40.0 | 25.0            |
|             |     |     | NE  | SW  |     | PONDEROSA PROPERTIES | A65-02707 /01/40.0  | 65-02707 /01/40.0  |                 |
| 16N         | 03E | 8   | SE  | SW  |     | PONDEROSA PROPERTIES | A65-02398B /01/39.0 | 65-02398B /01/39.0 | 39.0            |
|             |     |     | SE  | SW  |     | PONDEROSA PROPERTIES | A65-02707 /01/39.0  | 65-02707 /01/39.0  |                 |
| 16N         | 03E | 8   | NW  | SE  |     | PONDEROSA PROPERTIES | A65-02398B /01/38.0 | 65-02398B /01/38.0 | 28.0            |
|             |     |     | NW  | SE  |     | PONDEROSA PROPERTIES | A65-02707 /01/19.0  | 65-02707 /01/19.0  |                 |
| TOTAL ACRES |     |     |     |     |     | A65-02398B           | 117.00              | 117.00             | 92.00           |

POU COUNTY: VALLEY

A. ROOT WATER RIGHT NUMBERS: A65-02398A  
A65-02398X

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A65-02398B

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R65-02398A

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## B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME             | AJ<br>#/USE/ACRES   | WR<br>#/USE/ACRES  | LANDSAT<br>DATA |
|-------------|-----|-----|-----|-----|-----|------------------|---------------------|--------------------|-----------------|
| 16N         | 03E | 17  | NE  | SE  |     | PLATT, WENDELL B | A65-02398X /01/29.0 | 65-02398X /01/29.0 | 38.0            |
|             |     |     | NE  | SE  |     | PLATT, WENDELL B | A65-03183 /01/29.0  | 65-03183 /01/29.0  |                 |
| 16N         | 03E | 17  | NW  | SE  |     | PLATT, WENDELL B | A65-02398X /01/27.0 | 65-02398X /01/27.0 | 32.0            |
|             |     |     | NW  | SE  |     | PLATT, WENDELL B | A65-03183 /01/27.0  | 65-03183 /01/27.0  |                 |
| 16N         | 03E | 17  | SW  | SE  |     | PLATT, WENDELL B | A65-02398X /01/10.0 | 65-02398X /01/10.0 | 26.0            |
|             |     |     | SW  | SE  |     | PLATT, WENDELL B | A65-03183 /01/10.0  | 65-03183 /01/10.0  |                 |
| 16N         | 03E | 17  | SE  | SE  |     | PLATT, WENDELL B | A65-02398X /01/35.0 | 65-02398X /01/35.0 | 40.0            |
|             |     |     | SE  | SE  |     | PLATT, WENDELL B | A65-03183 /01/35.0  | 65-03183 /01/35.0  |                 |
| TOTAL ACRES |     |     |     |     |     | A65-02398X       | 101.00              | 101.00             | 136.00          |

POU COUNTY: VALLEY



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

MAY 14 1996

Department of Water Resources

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

May 6, 1996

RECEIVED

MAY 15 1996

WATER RESOURCES  
SOUTHERN REGION

PONDEROSA PROPERTIES  
C/O MICHAEL EDDY  
7988 W ARAPAHO CT  
BOISE ID 83703-6604

Re: Snake River Basin Adjudication (SRBA)  
Notice of Claim No. A65-02398B & A65-02707  
Change of Address

*A record changed 05-14-96. so  
S.R. records.*

Dear Claimants,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim(s) can be sent only to the address on your claim(s) or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right(s) referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

The address is correct as shown above or as otherwise changed.

Claimant

*For Ponderosa Properties*

*signature matches claim.  
so 5-14-96.*

MICROFILMED

OCT 18 1996

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS**

**In Re Snake River Basin Adjudication Case  
No. 39576**

**Notice of Filing Director's Report and Supplemental  
Director's Report Part II & III, United States' and Tribal  
Non-consumptive Claims.**

**TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN  
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:**

**THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH  
THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT.  
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PRO-  
CEEDINGS ON THESE WATER RIGHT CLAIMS.**

**IMPORTANT NOTICE REGARDING YOUR WATER RIGHT**

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND  
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION  
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

61589  
Idaho Department of Water Resources  
Statehouse Mail  
Boise, Idaho 83720

**RECEIVED**

**MAY 07 1996**

WATER RESOURCES  
WESTERN REGION

Presorted  
First Class Mail  
U.S. Postage Paid  
Boise, Idaho  
Permit No. 1

*Handwritten:*  
A65-02398B ✓  
A65-02707 ✓  
D.R.

**RECEIVED**

**APR 21 1995**

Department of Water Resources

PONDEROSA PROPERTIES  
C/O MICHAEL EDDY  
5025 BITTERBRUSH

83703-6404  
837035017-1394 04/18/95  
FORWARDING TIME EXPIRES  
MICHAEL J EDDY REAL ESTATE  
7988 W ARAPAHO CT  
BOISE ID 83703-6404

RETURN TO SENDER

**MICROFILMED**

**OCT 18 1996**

# NOTICE OF FILING DIRECTOR'S REPORT

## DIRECTOR'S REPORT

This Director's Report Part II is a report by the Director of the Idaho Department of Water Resources (IDWR). It contains abstracts of claims by the United States and Indian Tribes to "non-consumptive" water rights (such as instream flows) throughout the Snake River Basin. The abstracts summarize the claims without substantively changing the water right as claimed. The Supplemental Director's Report Part II includes abstracts of claims not included in the Director's Report Part II. The supplemental report also includes abstracts of amended claims, which contain changes to claims previously abstracted in the Director's Report Part II.

The Director's Report Part III contains the claims filed for these water rights, and includes both the claim documents and maps. The Supplemental Director's Report Part III includes claims not included in the Director's Report Part III, as well as amended claims which contain changes to claims included in the Director's Report Part III.

Complete copies of Part II of the reports are available for inspections at all offices of IDWR and at the other locations printed on this notice. Complete copies of Part III of the reports are available for inspection at the State Office of IDWR and the SRBA District Court. Copies of all or a portion of the reports are available from the IDWR State Office subject to payments of costs of mailing and/or copying.

## OBJECTIONS TO DIRECTOR'S REPORT

You may file an objection to any portion of the Director's Reports with the SRBA District Court. You must use a court approved objection form that is available from IDWR, which contains instructions for filing the objection. All objections must be received by the court on or before October 16, 1995. You must mail a copy of your objection to IDWR and the United States as shown on the objection form. If you are objecting to an abstract of a claim filed by an Indian tribe, you must also mail a copy of the objection to the tribe at the address shown in the report.

## RESPONSES TO OBJECTIONS

The United States and the Indian Tribes may but are not required to file a response to an objection to abstracts of their claims with the SRBA District Court.

## PARTIAL DECREE OF UNCONTESTED PORTIONS OF DIRECTOR'S REPORT

Those portions of the Director's Report to which no objections are filed will be decreed by the district court after a hearing to be held at 1:30 p.m., May 21, 1996 at the SRBA Courthouse in Twin Falls.

## NOTICE OF FURTHER PROCEEDINGS

You will be mailed a notice of further proceedings on an objection to **your water right, your objection, or your response**. You will not be mailed notice of other objections or proceedings on other objections.

Notice of other objections and responses to other objections will be included on a monthly docket sheet distributed by the SRBA District Court. A subscription to the docket sheet may be obtained from the court for a small annual fee (\$7.50 for the calendar year 1995).

IDWR has filed or will file Director's Reports for all other claims within the Snake River Basin, one for each of the reporting areas in the Snake River Basin. Notice of the filing of these reports, and of further proceedings on these reports, will also be included in the docket sheet.

You may be affected by orders and decrees entered by the court in proceedings on other objections and proceeding on other reports. It is very important that you subscribe to the docket sheet if you wish to stay informed of these other proceedings. For further information as to documents filed with the court and hearings scheduled before the court in the SRBA, you must inquire at the SRBA District Court.

## FURTHER INFORMATION

The court has adopted procedures for the post-report phase of the SRBA, which are set forth in the order of the court entitled "SRBA Administrative Order No. 1." A copy of this order can be obtained from the State Office of IDWR or the SRBA District Court.

If you have questions about the SRBA, please call any office of IDWR listed in this notice. If you have questions concerning your rights and responsibilities as a claimant in the SRBA, please consult your attorney.

**R. KEITH HIGGINSON**

Director, Idaho Department of Water Resources